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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 CYNTHIA GUTIERREZ, *et al.*,  
8 Plaintiffs,  
9 v.  
10 SANTA ROSA MEMORIAL HOSPITAL, *et*  
11 *al.*,  
12 Defendants.

Case No. [16-cv-02645-SI](#)

**ORDER REGARDING ENTRY OF  
JUDGMENT AS TO DEFENDANT  
LAUTERBACH PURSUANT TO FED. R.  
CIV. PROC. 54(B)**

Re: Dkt. Nos. 93, 94

13 In an order filed May 11, 2018, the Court granted defendant Lauterbach's unopposed  
14 motion for summary judgment. Dkt. No. 92. Plaintiffs and defendant Lauterbach have filed  
15 competing proposed judgments, and none of the other defendants have objected to the entry of  
16 judgment as to defendant Lauterbach. Dkt. Nos. 93, 94.

17 Pursuant to Federal Rule of Civil Procedure 54(b), the Court finds that there is "no just  
18 reason" to delay the entry of judgment as to defendant Lauterbach. Accordingly, the Court will  
19 enter a separate judgment, and that judgment will conform to Rule 54(a), which provides that "[a]  
20 judgment should not include recitals of pleadings, a master's report, or a record of prior  
21 proceedings." Fed. R. Civ. Proc. 54(a).<sup>1</sup>

23 **IT IS SO ORDERED.**

24 Dated: May 23, 2018



25 SUSAN ILLSTON  
United States District Judge

26  
27 <sup>1</sup> If necessary, plaintiffs may seek to enforce this Court's summary judgment order, which  
28 holds that defendant Lauterbach's co-defendants "shall be precluded from advancing any  
argument that defendant Lauterbach was negligent in his care of Ms. Gutierrez," in connection  
with future motion practice or at trial. Dkt. No. 92 at 2.